

Southern California Association of Governments Title VI Program



September 2014

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I. Introduction

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), hereinafter referred to as “Title VI,” prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. This Title VI Program reflects the commitment by the Southern California Association of Governments (SCAG) to comply with Title VI and to ensure that no person shall, on the basis of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by SCAG.

As a direct recipient of funds from the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA), SCAG is subject to Title VI and is required to submit a Title VI compliance report to FTA every three years. This Title VI Program reflects SCAG’s efforts with regard to Title VI compliance.

In addition, Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency. SCAG serves one of the most diverse regions in the United States and is committed to providing meaningful and substantive opportunities for input and participation in its regional planning activities. The policies and plans that guide SCAG’s decision-making impact the quality of life for all people who live, work and play in the region. Therefore, in accordance with Federal law, and in keeping with SCAG’s policy to enhance access and opportunities for input for all interested parties, including Limited English Proficiency populations, SCAG has developed a Language Assistance Plan for Limited English Proficient (LEP) Populations, also referred to as SCAG’s LEP Plan, as part of this Title VI Program to address the needs of LEP populations in the six-county region.

II. Background Information about SCAG

The Southern California Association of Governments, founded in 1965, is a Joint Powers Authority under California state law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under state law as a Regional Transportation Planning Agency and a Council of Governments.

SCAG develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and a portion of the South Coast Air Quality management plans. In 1992, SCAG expanded its governing body, the Executive Committee, to a 70-member Regional Council to help accommodate new responsibilities mandated by the federal and state governments, as well as to provide more broad-based representation of Southern California’s cities and counties. With its expanded membership structure, SCAG created regional districts to provide for more diverse

representation. The districts were formed to represent the cities in the SCAG region with the intent to serve equal populations and communities of interest. Currently, the Regional Council consists of 86 members.

In addition to the six counties and 191 cities that make up SCAG's region, there are six County Transportation Commissions that hold the primary responsibility for programming and implementing transportation projects, programs and services in their respective counties. Additionally, SCAG Bylaws provide for representation of Native American tribes and Air Districts in the region on the Regional Council and Policy Committees.

III. General Requirements

On October 1, 2012, FTA published Circular FTA C 4702.1B (Circular) to provide recipients of FTA financial assistance with guidance and instructions necessary to carry out the U.S. Department of Transportation (DOT) Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in DOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005). The following summarizes SCAG's compliance with the General Requirements for all FTA recipients as described in Chapter III of the Circular.

a) Requirement to Provide Title VI Assurances

SCAG submits its Title VI Assurances as part of its annual Certifications and Assurances submission to DOT, FHWA and FTA. SCAG will collect Title VI Assurances from subrecipients prior to passing through FTA funds. The federal fiscal year 2014 FTA Certifications and Assurances for SCAG were electronically pinned in TEAM on April 22, 2014, by SCAG Grants Administrator Alfonso Hernandez. In addition, a Policy Statement originally signed by SCAG's Executive Director in 2011 assuring SCAG's compliance with Title VI of the Civil Rights Act of 1964 can be found in **Appendix A**.

b) Requirement to Prepare and Submit a Title VI Program

SCAG updates and submits its Title VI Program to its FTA (Region 9) regional civil rights officer every three years or as otherwise directed by FTA. SCAG also submits its Title VI Program to the State of California Department of Transportation (Caltrans) in order to assist the State in its compliance efforts. SCAG's current Title VI Program was submitted and approved by FTA in February 2012, and will expire on November 30, 2014.

c) Requirement to Notify Beneficiaries of Protection under Title VI

SCAG's policy is not to discriminate against any person with respect to a SCAG program, service or activity. This commitment is incorporated into all public outreach efforts to engage all segments of the population in the transportation planning process. SCAG actively provides information regarding its Title VI obligations to the public using a variety of methods, such as having its Title VI Program, LEP Plan and complaint procedure available on the SCAG website and provided to staff, citizens, consultants and subrecipients. Notice of non-discrimination policy is included in all SCAG contracts and bid advertisements.

Finally, SCAG's Title VI Notice to the Public is included in **Appendix B**. This notice is available on the SCAG website and posted in SCAG main office as well as its regional offices.

d) Requirement to Develop Title VI Complaint Procedures and Complaint Form

SCAG has developed a process for investigating all Title VI complaints. Members of the public may file a signed, written complaint within sixty (60) calendar days from the date of alleged discrimination. Full procedures for filing a complaint, SCAG's procedures for investigating complaints and a copy of SCAG's Title VI Complaint Form are attached herein as **Appendix C**. Given that the Complaint Procedures and Complaint Form are vital documents under DOT's Title VI regulations, these documents have also been translated into the Spanish, Chinese, Korean and Vietnamese languages in accordance with SCAG's Limited English Proficiency (LEP) Plan as further described below.

At a minimum, the complaint should include the following information:

- Name, mailing address, and how to contact the complainant (i.e. telephone number, email address, etc.).
- Basis of complaint (i.e., race, color, or national origin).
- Date of alleged discriminatory act(s).
- How, when, where and why Complainant alleges he or she was discriminated against. Include the location, names and contact information of any witnesses
- Other significant information.

The complaint may be filed in writing with SCAG to the following:

Joann Africa, Chief Counsel/Director of Legal Services
Southern California Association of Governments
818 West 7th Street, 12th Floor
Los Angeles, CA 90012-3435

e) Requirement to Record and Report Transit-Related Title VI investigations, complaints, or lawsuits

In compliance with 49 CFR Section 21.9, SCAG maintains a file of any active transit-related Title VI investigations conducted by entities other than FTA, lawsuits, and complaints naming SCAG. The file includes a list that describes the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit or complaint; and actions taken by SCAG in response, or final findings related to, the investigation, lawsuit or complaint.

Since the last reporting period in 2012, SCAG has had no Title VI investigations, complaints or lawsuits filed against it.

f) Promoting Inclusive Public Participation

SCAG implements a public involvement process to provide complete information, timely public notice and full public access to key decisions and to support early and continuing public involvement in developing its regional plans. Since SCAG's Title VI Program submission in 2012, the organization has updated its Public Participation Plan twice to include new strategies for public engagement and meet requirements set forth in California SB 375. Highlights of our outreach efforts include:

- Held one workshop and one public hearing in each of the six counties during the public review and comment period for the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and provided an additional opportunity by allowing virtual participation through videoconferencing from eight sites throughout the region.
- Held two workshops as part of the environmental justice outreach effort, giving stakeholders and local community organizations opportunities to learn about SCAG's environmental justice analysis for the Draft 2012-2035 RTP/SCS and provide input on concerns and propose new analysis areas. The input from these sessions was integrated into the technical analysis in SCAG's Environmental Justice Appendix for the 2012-2035 RTP/SCS.
- Provided advance notice of workshops and public hearings via our email communication, social media, website, public notices at each venue, notices in newspapers, press releases and word of mouth.
- Targeted outreach to underrepresented communities, ethnic press and all federally recognized Tribal Governments within the SCAG Region.
- Made over 40 special presentations on the Draft 2012-2035 RTP/SCS throughout the region to academics, business leaders, elected officials and local stakeholders.
- Developed a number of communications materials to inform the public on the purpose and importance of the 2012-2035 RTP/SCS, including fact sheets, PowerPoint presentations, and videos, and made them available electronically on SCAG's website.
- Translated fact sheets and the executive summary of the 2012-2035 RTP/SCS into Spanish, Chinese and Korean, to engage persons with limited English proficiency.

- Created an interactive website for the plan, allowing for direct access to information, charts and graphics, as well as the ability to comment directly on the electronic version. The website is compliant with the 1990 Americans with Disabilities Act.
- In compliance with SAFETEA-LU, SCAG held a Resource Agency Consultation Workshop with federal, state and tribal land management, wildlife, and regulatory agencies on the 2012-2035 RTP/SCS, an overview of comments related to natural resources, and a summary of proposed edits to the Program Environmental Impact Report and the Environmental Justice analysis.
- Reviewed and provided responses to all comments received regarding proposed plans and programs.
- Evaluated public participation activities to continually improve the outreach process and provide early opportunities for engagement.

SCAG continually seeks to ensure that minority and low-income populations are involved in the regional planning process. The 2012-2035 RTP/SCS was supported by a comprehensive public involvement program that complied with Title VI and the executive order on Environmental Justice and is fully documented in the 2012-2035 RTP/SCS, Public Participation and Consultation Appendix, available at: http://rtpscs.scag.ca.gov/Documents/2012/final/SR/2012fRTP_PublicParticipation.pdf.

SCAG's most recent Public Participation Plan, adopted by SCAG's governing board in April 2014, describes the agency's core values related to public participation, and provides goals and strategies for increasing public information and engagement in the planning process. This update includes several new initiatives, such as:

- Improve participation of rural, unincorporated communities and farm workers by consulting with community, legal and business groups in the area.
- Increase participation and develop networks with high schools and universities by involving young people in municipal government and planning and policy work.
- Expand opportunities to engage the public both online and through other technological platforms.

SCAG's Public Participation Plan is included herein as **Appendix D** and is also available online at <http://www.scag.ca.gov/participate/Pages/PublicParticipationPlan.aspx>.

g) Requirement to Provide Meaningful Access to LEP Persons

Consistent with Title VI, DOT's implementing regulations and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information and other important portions of their programs and activities for individuals who are limited-English proficient (LEP).

A full copy of SCAG's Language Assistance Plan for Limited English Proficient Populations, also referred to as the "LEP plan," can be found in **Appendix E**. Key elements of the LEP plan include:

- Translating vital documents into the four largest LEP languages – Spanish, Chinese, Korean and Vietnamese. The agency will determine, on a case-by-case basis, the effectiveness and appropriateness to translate other, non-vital documents.
- Identifying LEP individuals who need language assistance by using the U.S. Census Bureau's "I Speak" language identification list.
- Having translators, including bilingual staff members, available for public meetings and workshops as needed.
- Instituting formal procedure to document the frequency with which LEP persons come into contact with SCAG staff and the nature of the interaction, as well as documenting the frequency in which translated documents are accessed on the website; and
- Surveying LEP participants at public hearings to assess the effectiveness of the agency's language services and whether alternate services may need to be employed.

h) Minority Representation on Planning and Advisory Boards

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

At this time, SCAG does not have any transit-related, non-elected planning boards, advisory councils or committees, or similar committees, of which the membership is selected by SCAG, and therefore, no table is provided denoting the racial breakdown of the membership of such committees. To the extent in the future, SCAG creates such committees and selects its membership, SCAG will encourage the participation of minorities in these committees.

i) Providing Assistance to Subrecipients

Title 49 CFR Section 21.9(b) states that if a "primary recipient extends Federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part." As a primary recipient of Federal pass-through funds, SCAG assists its subrecipients in complying with DOT's Title VI regulations, including general reporting requirements. Assistance is provided to each subrecipient by SCAG as necessary.

SCAG periodically reviews the Title VI programs of its subrecipients and works cooperatively to assist them in updating their programs to address DOT Title VI regulations and meet program approval deadlines. SCAG currently provides each subrecipient with a copy or access (via internet link) to

SCAG's Title VI Program, which includes the agency's notice to the public informing beneficiaries of their rights under DOT's Title VI regulations, procedures on how to file a Title VI complaint and the SCAG's Title VI complaint form. Additional sample notices and procedures are provided to subrecipients upon request. Subrecipients are also provided a link and resources to all applicable FTA circulars including Circular FTA C 4702.1B. Finally, upon request of the subrecipient, SCAG provides demographic information on the race and English proficiency of residents served by the subrecipient, and other data such as travel patterns, that will assist the subrecipient in complying with Title VI.

j) Monitoring Subrecipients

In accordance with 49 CFR 21.9(b), and to ensure that subrecipients comply with the DOT's Title VI regulations, SCAG as a primary recipient of Federal pass-through funds, must monitor subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then SCAG is also not in compliance.

However, when a subrecipient is also a direct recipient of FTA funds, that is it applies for funds directly from FTA in addition to receiving funds from a primary recipient, the subrecipient/direct recipient reports directly to FTA and SCAG is not responsible for monitoring compliance of that subrecipient. The FTA supplemental agreement signed by SCAG and the subrecipient in their roles as designated recipient and direct recipient relieves SCAG of this oversight responsibility.

As applicable, in order to ensure SCAG and subrecipients (which are not direct recipients) are in compliance with Title VI requirements, SCAG shall undertake the following activities:

- Document its process for ensuring that all subrecipients are complying with the general reporting requirements of this circular, as well as other requirements that apply to the subrecipient based on the type of entity and the number of fixed route vehicles it operates in peak service, if a transit provider.
- Collect Title VI Programs from subrecipients and review programs for compliance. Collection and storage of subrecipient Title VI Programs may be electronic at the option of SCAG.
- At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by SCAG, SCAG shall request that subrecipients who provide transportation services verify that their level and quality of FTA C 4702.1B Chap. III-11 service is provided on an equitable basis. Subrecipients that are fixed route transit providers are responsible for reporting as outlined in Chapter IV of this Circular.

SCAG shall conduct on-site visits of subrecipients as needed or subsequent to the filing of a Title VI complaint. In the event of a subrecipient's noncompliance, SCAG may impose sanctions pursuant to terms and conditions of an agreement between SCAG and each subrecipient (Subrecipient Agreement), such as the withholding of payments and/or the cancellation, termination, or suspension of a project agreement.

Subrecipients must submit a Title VI program to SCAG subsequent to the execution of a Subrecipient Agreement, i.e., Memorandum of Understanding (MOU). Following submission of the subrecipient's

initial Title VI program, subrecipients are required to resubmit every three years an updated Title VI program. If SCAG staff identifies that modifications are needed, subrecipients must provide the most updated version of the Title VI program within 30 days of finalizing an update. Additionally, changes in the FTA's Title VI requirements may necessitate updates to subrecipients' Title VI programs in order to ensure compliance. The schedule below indicates the most recent Title VI program submissions by SCAG's subrecipients and the upcoming submission dates. In order to assist SCAG in its compliance efforts, subrecipients' Title VI Programs are set on a schedule determined by SCAG and in compliance with FTA requirements. Most of SCAG's subrecipients are also direct recipients of FTA funds.

TITLE VI PROGRAM DUE DATES					
Subrecipients	Grant Programs	Due Date	Expiration Date	FTA Direct Recipient	Title VI Plan Location
Antelope Valley Transit Authority (AVTA)	FTA Section 5339	6/1/2014	7/31/2014	DOT Direct Recipient	Title VI Plans\AVTA
*Indio, City of	CPG	TBD	TBD	Not a DOT Direct Recipient	
Gold Coast Transit	FTA Section 5304	6/1/2016	7/31/2016	DOT Direct Recipient	Title VI Plans\Gold Coast Transit
Long Beach Transit	FTA Section 5304	6/1/2016	7/31/2016	DOT Direct Recipient	Title VI Plans\Long Beach Transit
Los Angeles County Metropolitan Transportation Authority (LACMTA/Metro)	FTA Section 5339	10/1/2016	11/30/2016	DOT Direct Recipient	Title VI Plans\Metro
Omnitrans	FTA Section 5339, FTA Section 5304	10/1/2015	11/30/2015	DOT Direct Recipient	Title VI Plans\Omnitrans
Orange County Transportation Authority (OCTA)	FTA Section 5339	10/1/2015	11/30/2015	DOT Direct Recipient	Title VI Plans\OCTA
Pasadena, City of	FTA Section 5304	3/1/2017	4/30/2017	N/A	Title VI Plans\Pasadena
Riverside, City of	FTA Section 5339, FTA Section 5304	4/1/2013	5/31/2013	DOT Direct Recipient	Title VI Plans\City of Riverside
Riverside County Transportation Commission (RCTC)	FTA Section 5304	2/1/2014	3/31/2014	DOT Direct Recipient	Title VI Plans\RCTC
Riverside Transit Agency	FTA Section 5339	10/1/2016	11/30/2016	DOT Direct Recipient	Title VI Plans\RTA
SunLine Transit Agency	FTA Section 5339	10/1/2016	11/30/2016	DOT Direct Recipient	Title VI Plans\SunLine
*Thousand Oaks, City of	FTA Section 5304	6/1/2015	7/31/2015	Not a DOT Direct Recipient	Title VI Plans\Thousand Oaks

*Subrecipients which are not DOT (FTA & FHWA) Direct Recipients

k) Determination of Site or Location of Facilities

Title 49 CFT Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 49 CFR part 21, Appendix C, Section 3(iv) provides, "The location of projects requiring land acquisition and the displacement of person from their residences and businesses may not be determined on the basis of race, color, or national origin."

In accordance with the Circular, "facilities" is narrowly defined to not include bus shelters, which are transit amenities; or larger projects such as transit stations which subject to the NEPA process.

Rather, facilities covered in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

SCAG acknowledges its responsibility to complete a Title VI equity analysis if SCAG constructs a facility, such as an operation center, storage facility, etc. SCAG has no plans to construct such a facility at this time. SCAG will complete the Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color or national origin. This process would include outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis would compare the equity impacts of various siting alternatives, and occur before the selection of the preferred site.

I) Requirement to Provide Additional Information upon request

SCAG will provide information other than that required by the Circular to FTA upon request, should it be necessary to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

IV. Requirements Specific to Metropolitan Planning Organizations

In addition to the General Requirements for all FTA recipients, Circular FTA C 4702.1B also includes specific requirements that metropolitan planning organizations must follow in order to comply with the DOT's Title VI regulations. The following is a summary of SCAG's compliance with the MPO-specific requirements as described in Chapter VI of the Circular.

a) Requirement that Metropolitan Planning Activities comply with Title VI

SCAG fully recognizes that all its metropolitan transportation planning activities must comply with 49 U.S.C. Section 5303, Metropolitan Transportation Planning, as well as subpart C of 23 CFR part 450, Metropolitan Planning and Programming. As previously noted, SCAG updates and submits its Title VI Program every three years or as otherwise directed by FTA. SCAG also submits its Title VI Program to Caltrans in order to assist the State in its compliance efforts. A copy of the resolution approving this Title VI Program by SCAG's governing board is attached as **Appendix F**.

b) Demographic profile of the Metropolitan Area

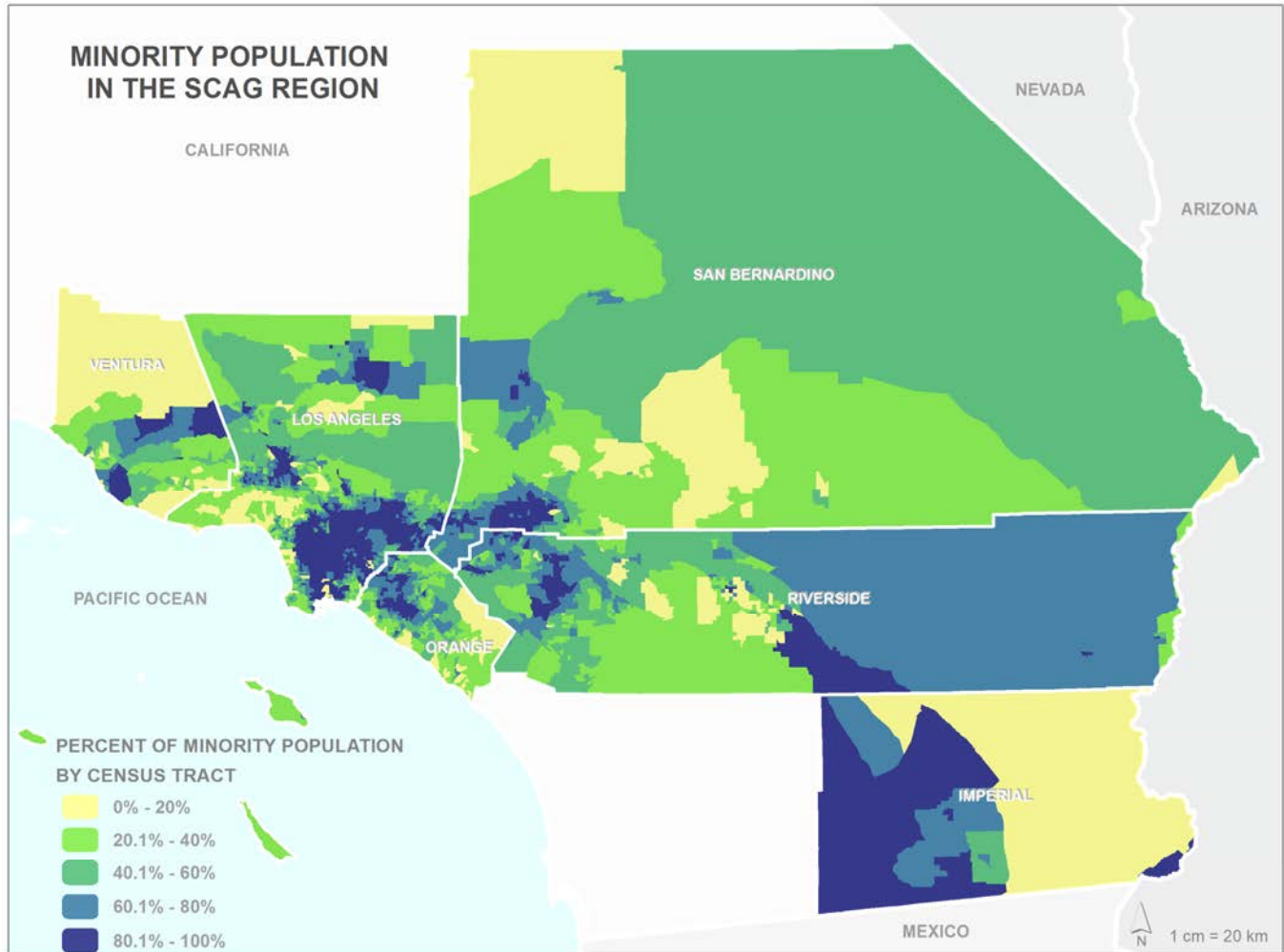
The following represents the demographic profile of SCAG's metropolitan area which includes identification of the locations of minority populations in the aggregate.

Population by Race/Ethnicity	Imperial County		Los Angeles County		Orange County	
	Population	% of County	Population	% of County	Population	% of County
Hispanic or Latino	139,382	80%	4,694,846	48%	1,015,013	34%
Non Hispanic White	23,876	14%	2,731,605	28%	1,332,316	44%
Non Hispanic African American	5,064	3%	809,858	8%	45,438	2%
Non Hispanic American Indian and Alaska Native	1,437	1%	17,371	0%	6,676	0%
Non Hispanic Asian	2,420	1%	1,343,920	14%	542,857	18%
Non Hispanic Others	1,308	1%	242,424	2%	79,540	3%
Total	173,487	100%	9,840,024	100%	3,021,840	100%

Population by Race/Ethnicity	Riverside County		San Bernardino County		Ventura County	
	Population	% of County	Population	% of County	Population	% of County
Hispanic or Latino	998,113	46%	1,005,858	49%	331,225	40%
Non Hispanic White	867,580	40%	677,104	33%	400,432	49%
Non Hispanic African American	129,961	6%	169,394	8%	12,937	2%
Non Hispanic American Indian and Alaska Native	10,616	0%	7,702	0%	1,626	0%
Non Hispanic Asian	127,477	6%	126,685	6%	55,605	7%
Non Hispanic Others	59,235	3%	54,286	3%	20,969	3%
Total	2,192,982	100%	2,041,029	100%	822,794	100%

Population by Race/Ethnicity	SCAG Region	
	Population	% of County
Hispanic or Latino	8,184,437	45%
Non Hispanic White	6,032,913	33%
Non Hispanic African American	1,172,652	6%
Non Hispanic American Indian and Alaska Native	45,428	0%
Non Hispanic Asian	2,198,964	12%
Non Hispanic Others	457,762	3%
Total	18,092,156	100%

Social Explorer Tables: ACS 2008 to 2012 (5-Year Estimates) (SE), ACS 2008 – 2012 (5-Year Estimates), Social Explorer, U.S. Census Bureau



Sources: SCAG, 2014; 2008-2012 American Community Survey (ACS), U.S. Census Bureau

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c) Description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process

Key objectives of the SCAG Public Participation Plan are to: “Involve traditionally underserved persons, including minority, tribal governments, low-income and elderly citizens or those addressed by the Americans with Disabilities Act (ADA) in the development and review of transportation plans and projects” and “Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to, low-income and minority households in an effort to ensure that the requirements of Title VI and Environmental Justice have been met.”

SCAG’s Environmental Justice program includes two main elements: public outreach and technical analysis. Specifically, SCAG seeks to ensure that 1) traditionally underserved persons are identified and have ample opportunity to participate in the transportation decision-making process; and 2) thorough environmental justice analysis is conducted to evaluate potential disproportionate burdens

to any low-income or minority populations and to identify potential mitigation strategies to address environmental justice concerns as part of SCAG's transportation planning process.

As part of its 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), SCAG completed a robust Environmental Justice report that assesses the impacts of the 2012—2035 RTP/SCS on low-income and minority populations, and provides a “Mitigation Toolbox” identifying strategies for local jurisdictions and county transportation commissions to address environmental justice in their projects. Demographic categories considered in SCAG's Environmental Justice report include minority, low-income, disabled, seniors, Native American, foreign born and non-English speaking populations.

For the 2016 RTP/SCS Plan outreach, SCAG staff will utilize this information to ensure identified traditionally underserved citizens have ample opportunity to participate in the planning process. Many of SCAG's Environmental Justice (EJ) benchmarks, measures, and criteria were developed and adopted as result of the public and stakeholder outreach, comment, and input process. For example, during the 2008 RTP Environmental Justice outreach meetings, SCAG was advised that a more appropriate indicator to measure transportation services, status of mobility/accessibility, and needs for the low-income and minority population is to calculate their accessibility to job opportunities within a 45-minute travel time by different transportation modes (automobile, local bus, and transit system). In addition, the same methodology and measures are applied to non-work trip purposes (for example, shopping, access to essential services, etc.) and extended to open space/parks trip destinations. As such, it has become standard in SCAG's EJ analysis to provide information related to how the RTP/SCS affects and provides improvements in benefits for the EJ population in terms of its access to jobs (work trips), and shopping and other essential services (non-work trips), and also to open space/parks (leisure trips) within a 45- minute travel time by different transportation modes.

SCAG anticipates that additional EJ benchmarks, measures, analyses, and criteria, etc., will be developed through outreach and public workshops planned/conducted throughout the 2016-2040 RTP/SCS process. As described in SCAG's Public Participation Plan, Environmental Justice outreach procedures include convening EJ workshops hosted by SCAG to engage stakeholders and the public on the Environmental Justice analysis for regional transportation plan documents to ensure that all members of the public have an opportunity to participate meaningfully in the planning process and their comments are considered in such process. The first EJ workshop is scheduled for October 23, 2014. SCAG staff's interaction with stakeholders has proven to be the best method of ensuring participation of identified traditionally underserved persons in SCAG's public involvement process. SCAG additionally may plan to convene an Environmental Justice Advisory Group. This group would include representatives of community-based organizations, non-profits, and tribal governments from all parts of the SCAG region. More information about SCAG's outreach procedures related to Title VI and Environmental Justice may be found in SCAG's Public Participation Plan incorporated into this Title VI Plan and publicly available at http://scag.ca.gov/Documents/PPP2014_Adopted-FINAL.pdf.

d) Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate of the metropolitan area

SCAG has developed charts, instead of maps, that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes. These charts are incorporated as part of the analysis below in subsection e related to SCAG's transportation system and any disparate impacts.

e) Analysis of MPO's transportation system that identifies and addresses any disparate impacts

DOT's Title VI regulations require that MPOs develop charts that analyze the impacts of the distribution of state and federal funds in the aggregate for public transportation purposes and to identify any disparate impacts on the basis of race, color, or national origin. SCAG's adopted 2012-2035 RTP/SCS includes \$524.7 billion (in year of expenditure dollars) to support the region's surface transportation investments, including transit, highways, local road improvements, system preservation, and demand management goals. The fiscally constrained RTP/SCS includes revenues from both traditionally available and reasonably available revenue sources, comprised of 53 percent local sources (\$227.4 billion), 25 percent state sources (\$130.0 billion), and 22 percent federal sources (\$117.3 billion). Transit investments—\$106.9 billion in transit capital improvements and \$139.3 billion in transit operations and maintenance—account for nearly half (47 percent) of the RTP/SCS total. Although local sales taxes constitute a large portion of funding for transit, state and federal dollars remain critical for both transit capital and operating needs.

As part of the 2012-2035 RTP/SCS development, SCAG conducted an environmental justice analysis, utilizing performance measures to analyze existing social and environmental equity in the region and to address the impacts of the RTP/SCS on various environmental justice population groups, including racial and ethnic minorities. While the impacts are based on the implementation of all the adopted RTP/SCS projects and strategies in their entirety, the portions of the analysis presented here includes results by mode, including public transportation, and therefore addresses the USDOT's Title VI requirement. Performance results from the analysis are summarized below, and more detailed information can be found in the 2012-2035 RTP/SCS Environmental Justice Technical Appendix available at: http://rtpscs.scag.ca.gov/Documents/2012/final/SR/2012fRTP_EnvironmentalJustice.pdf.

SCAG identified minority persons based on Executive Order 12898 and the USDOT and Federal Highway Administration (FHWA) Orders on Environmental Justice, which define "minority" as persons belonging to any of the following groups, as well as "other" categories that are based on the self-identification of individuals in the US Census: Black, Hispanic, Asian, and American Indian and Alaskan Native (called Native American and abbreviated as NA in this report). SCAG based its

analysis on the latest census data for racial/ethnic groups in the SCAG region at the census tract level and by transportation analysis zone (TAZ) used in the regional travel demand model.

In summary, the RTP/SCS provides improvements in mobility and accessibility for all racial/ethnic groups. The share of transportation benefits by minority group are balanced and in line with each group's use of the transportation system. SCAG did not identify any disproportionately high and adverse effects on any minority group. The results are presented in more detail in the following series of charts.

Performance Measures

The performance measures used in SCAG's RTP/SCS environmental justice analysis allow for an understanding and comparison of benefits and burdens that are experienced by minority groups as a result of RTP/SCS investments. The measures discussed in this report include: tax burden, transportation system usage, RTP/SCS expenditure distributions, mobility benefits, and accessibility benefits. Also discussed are additional performance measures that SCAG attempted to address for the first time in the 2012-2035 RTP/SCS, with respect to gentrification and rail-related impacts.

Tax Burden

SCAG used the Bureau of Labor Statistics (BLS) Consumer Expenditure Survey data to assess regional expenditures by taxable sales category and adjusted gross income in order to estimate transportation funding contributions or taxes paid by income group and race/ethnicity. SCAG also used taxable sales and expenditure allocation by income quintile from the California Board of Equalization and Franchise Tax Board. Different funding sources can impose disproportionate burdens on lower income and minority groups. Sales and gasoline taxes, which are the primary sources of funding the region's transportation system, were evaluated to demonstrate how tax burdens fall on minority groups.

Figure 1. Taxes Paid by Household Race/Ethnicity (2008 – 2035)

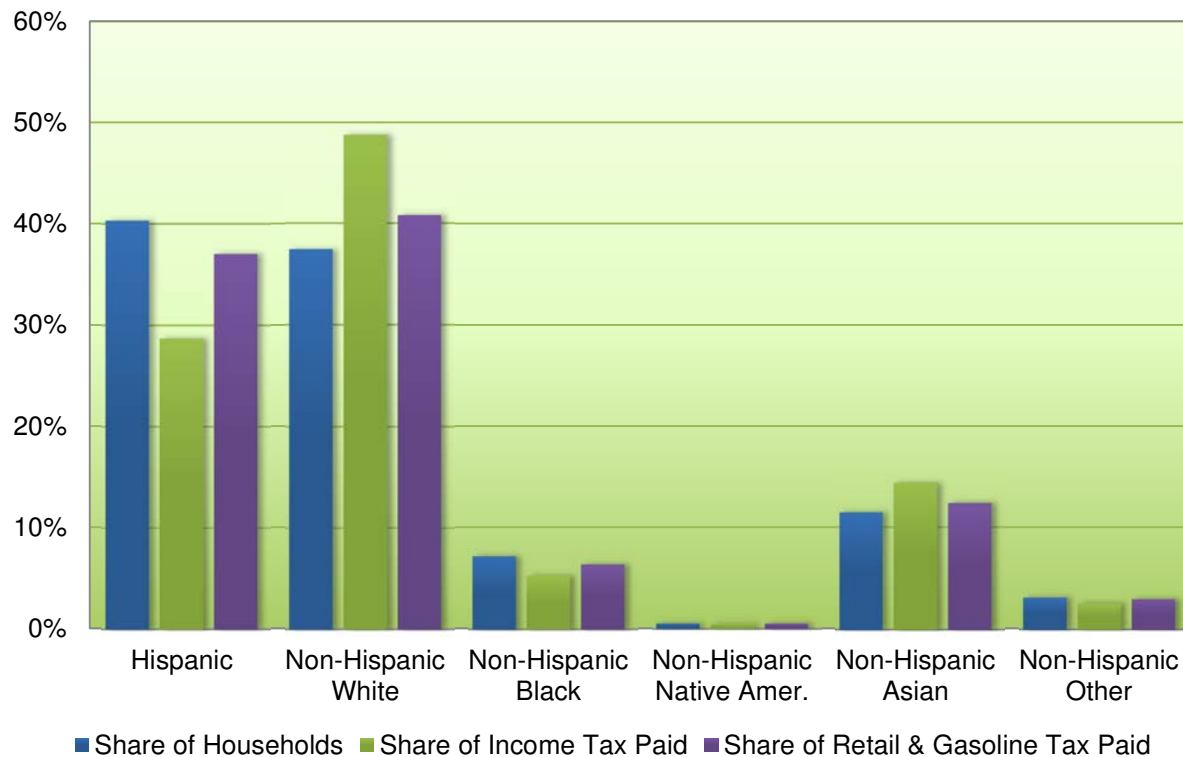


Figure 1 indicates that tax burdens are estimated to fall more heavily on non-minority groups, with Non-Hispanic White households paying 40.8 percent of retail sales and gasoline taxes while constituting 37.5 percent of total households. Hispanic and Non-Hispanic Black households have a lower tax burden compared to overall household share. Non-Hispanic Asian households pay 12.4 percent of retail sales and gasoline taxes, just slightly above their 11.5 percent share of households.

Transportation System Usage

SCAG used the 2010 National Household Travel Survey (NHTS) to analyze the demographic and travel characteristics of the SCAG region in 2009. The NHTS is a household-based travel survey conducted by the FHWA and is the authoritative source of national data on the travel behavior of the American public. This dataset allows for the analysis of daily travel by all modes, including characteristics of the people traveling, their households, and their method of travel. This data was used along with SCAG’s 2001 household travel survey data to develop transportation system usage information by minority households. This usage information forms the basis for allocating RTP/SCS benefits and burdens.

Table 1 presents transportation system usage by mode by household race/ethnicity. Usage for all modes and share of total households are provided for comparison. Table 1 indicates that Hispanic and Non-Hispanic Black households disproportionately use more bus and urban rail, and walk or bike more often, than their share of total households. Non-Hispanic White households, and to a smaller

extent Non-Hispanic Asian households, drive and take commuter rail at a rate higher than their share of total households would suggest.

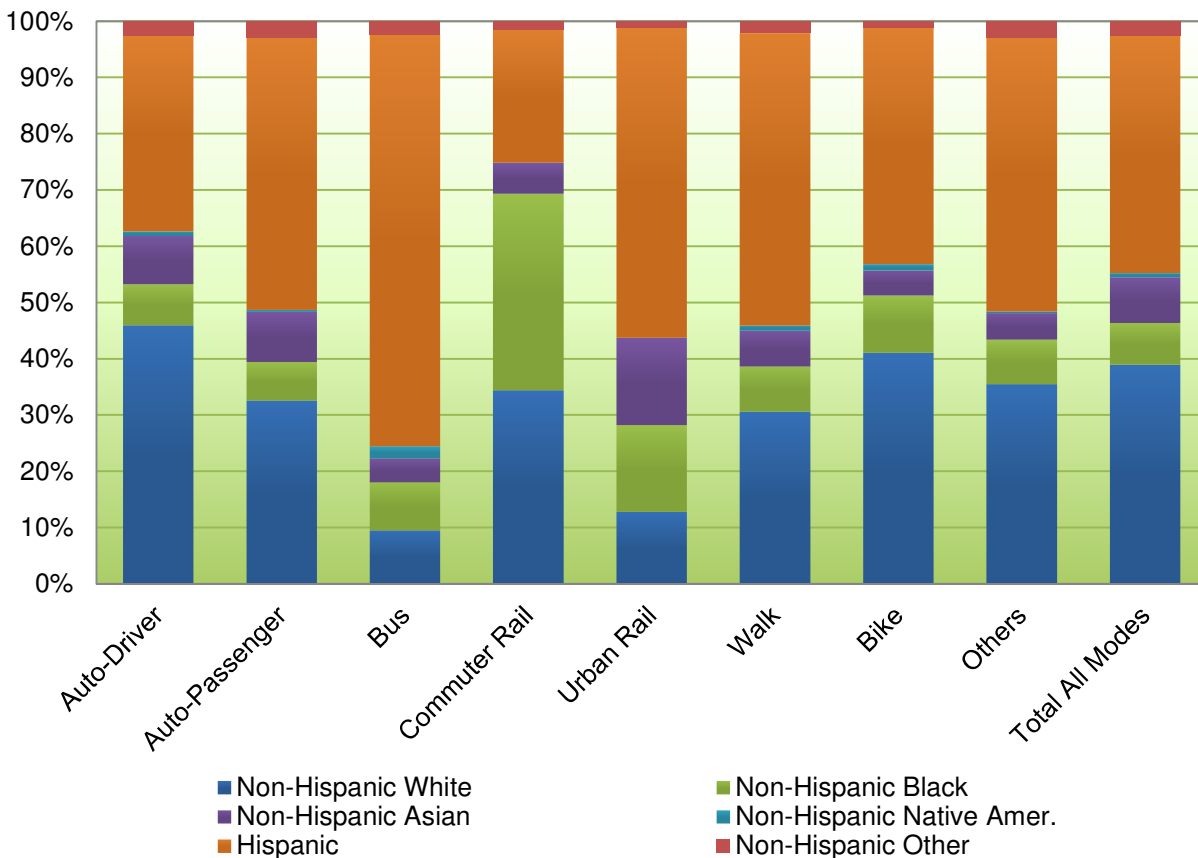
Table 1. Transportation System Usage by Household Race/Ethnicity

	Auto	Bus	Commuter Rail	Urban Rail	Non-Motorized	Other	All Modes	Households
Hispanic	39.2%	44.1%	38.2%	43.2%	41.1%	40.1%	39.6%	40.3%
NH White	38.7%	33.2%	39.4%	34.6%	36.6%	37.5%	38.2%	37.5%
NH Black	6.8%	8.8%	7.1%	7.8%	7.5%	7.4%	6.9%	7.2%
NH NA	0.5%	0.6%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
NH Asian	11.8%	10.2%	11.9%	10.7%	11.2%	11.5%	11.7%	11.5%
NH Other	3.0%	3.2%	2.9%	3.2%	3.1%	3.0%	3.0%	3.0%
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

NH = Non-Hispanic, NA = Native American

Figure 2 charts the total person trips in the SCAG region by mode and race/ethnicity. This presents a similar picture of transportation usage as Table 1, with Hispanics representing 42.2 percent of total person trips but 73.2 percent of bus trips and 55.1 percent of urban rail trips. Non-Hispanic Blacks and Asians each represent over 15 percent of Urban Rail trips, about twice their share of total trips. Interestingly, Non-Hispanic Blacks represent 34.9 percent of commuter rail trips, just slightly higher than Non-Hispanic Whites at 34.4 percent.

Figure 2. Total Person Trips by Race/Ethnicity (2009)

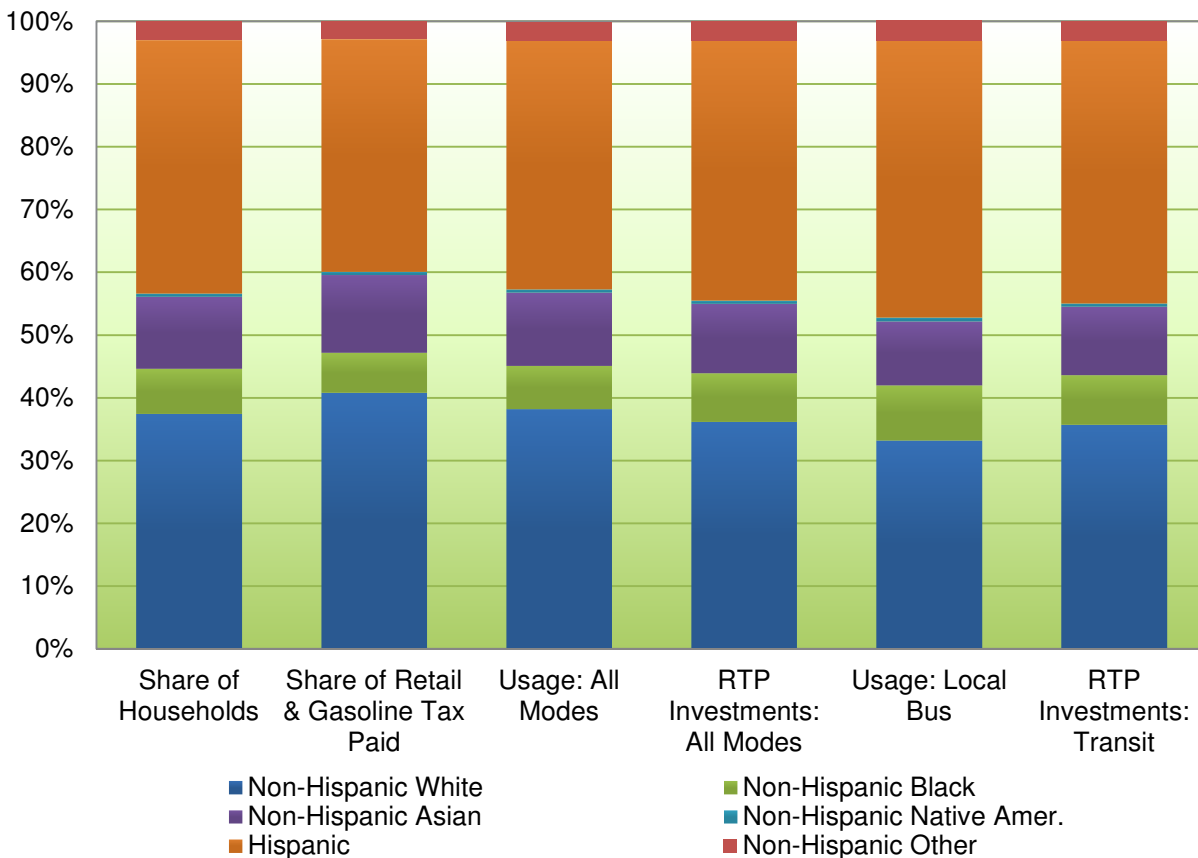


RTP Investment Allocation

Transportation investment strategies can impact the transportation choices of low income and minority communities. A disproportionate allocation of resources for various investments can indicate a pattern of discrimination. In its RTP/SCS analysis, SCAG aimed to identify and address the Title VI and environmental justice implications of its planning processes and investment decisions, and utilized a benefit assessment method that considered to what extent various minority groups were receiving value from transportation investments. RTP/SCS expenditures were categorized by mode and then allocated to minority categories based on each group's household usage share of these modes.

Figure 3 indicates that RTP/SCS investments are distributed equitably, generally in line with household share, tax burden, and transportation system usage. For Hispanics, the share of transit investments (41.8 percent) is close to this group's transit usage (44.1 percent local bus), and both exceed the overall share of households (40.3 percent) and tax burden (37 percent). For Non-Hispanic Blacks, the share of transit investments (7.9 percent) is similar to bus usage (8.8 percent) and exceeds the tax burden (6.4 percent). For Non-Hispanic Asians and Non-Hispanic Others, the share of RTP investments (11 percent and 3 percent, respectively) closely mirrors the share of households, system usage, and tax burden.

Figure 3. Households, Tax Burden, Transportation Usage and Investment by Race/Ethnicity



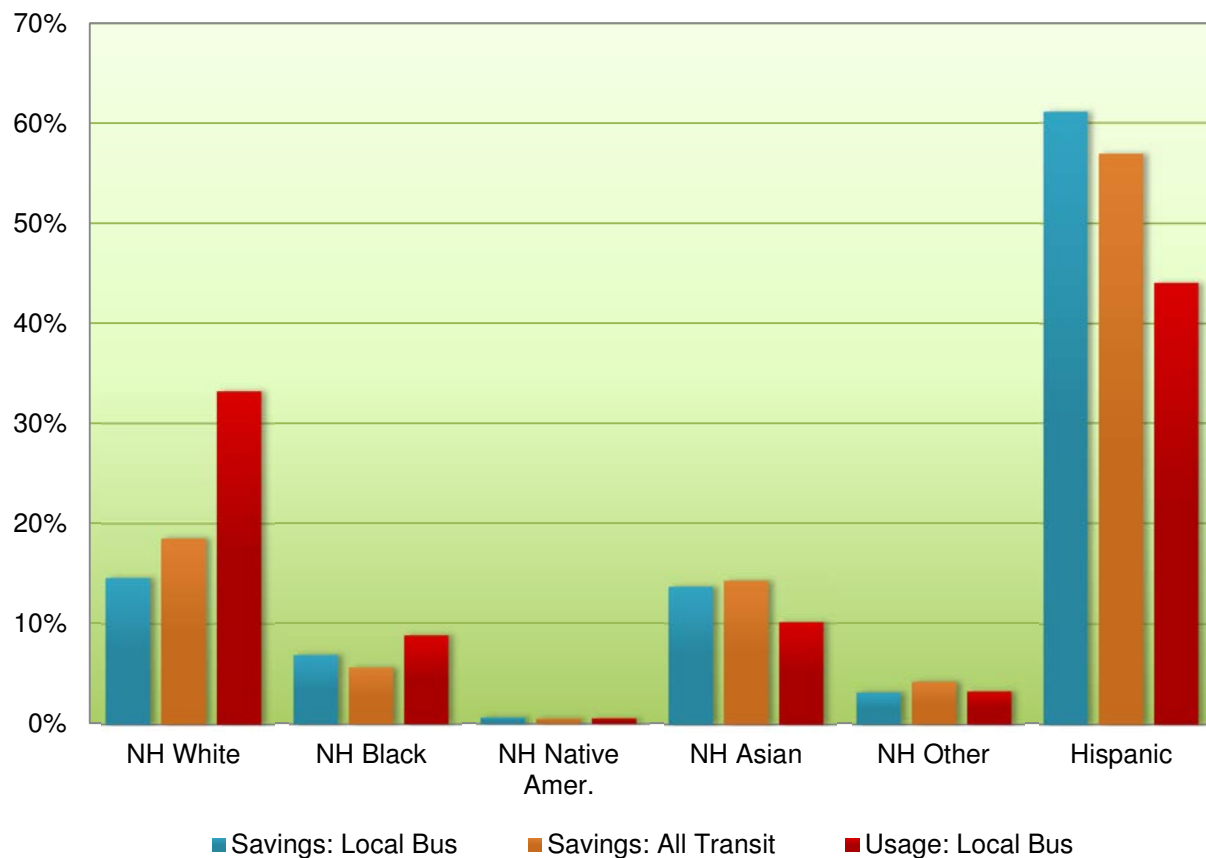
Mobility Benefits (Travel Time Savings)

SCAG analyzed travel time savings resulting from implementation of RTP/SCS investments to determine the share of benefits and burdens for the region's minority groups. SCAG used the regional travel demand model to assess the distribution of travel time savings for both auto and transit trips that are expected to result from implementation of the plan investments, compared to the baseline or "no project" alternative. This was combined with associated mode usage that was identified for each TAZ in the region to estimate time savings for each minority group.

Figure 4 depicts the distribution of transit travel time benefits by race/ethnicity. All groups are shown to receive a net benefit in travel time savings. The percentages shown represent each group's share of total regional benefits. Results are shown for local bus and for all transit. Household local bus usage presented previously in Table 1 is provided as a point of comparison.

The Hispanic share of total travel time savings for local bus is 61 percent, compared to their household local bus usage of 44.1 percent. Non-Hispanic Asians show a similar pattern, where their share of transit travel time savings exceeds their share of local bus usage. While Non-Hispanic Blacks are estimated to receive 6.8 percent of local bus travel time savings, this is slightly less than their share of usage at 8.8 percent.

Figure 4. Share of Travel Time Savings by Race/Ethnicity



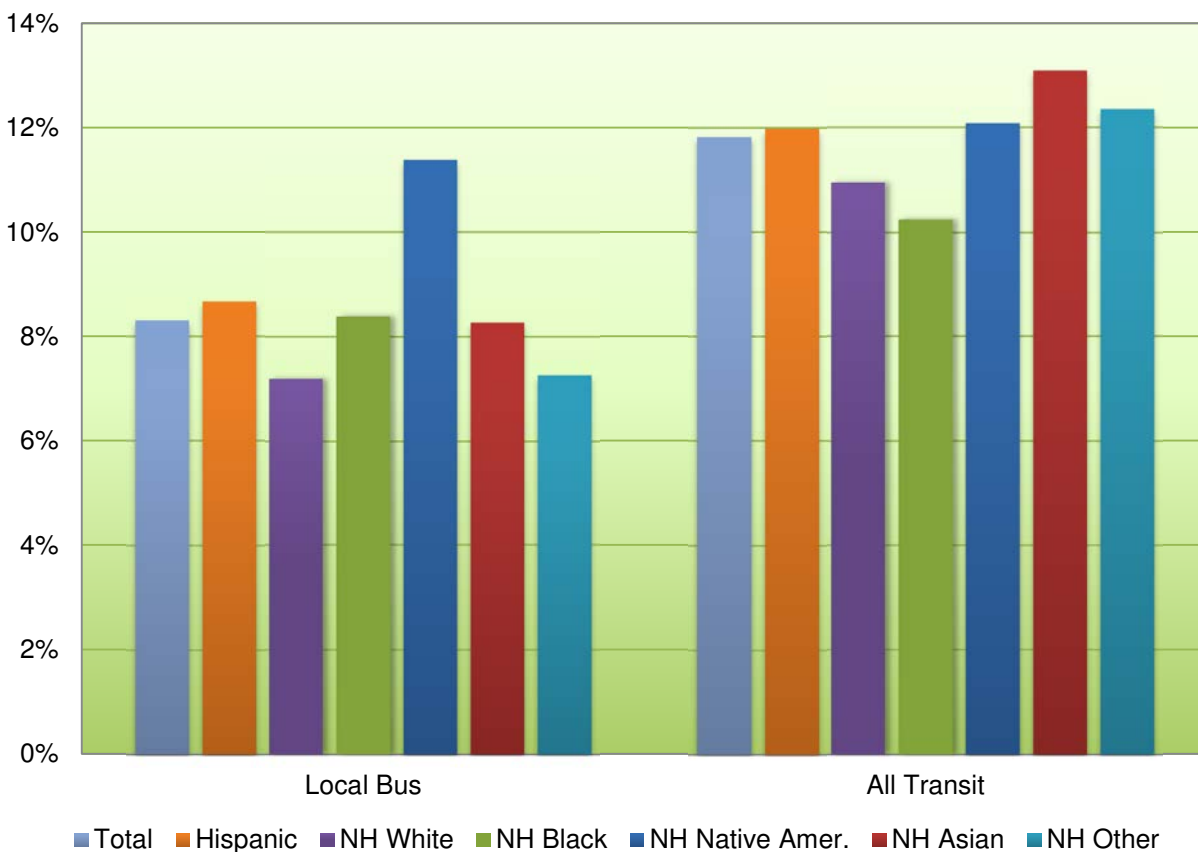
NH = Non-Hispanic

Figure 5 depicts the estimated improvement in travel time for each race/ethnicity. All groups are shown to receive a net benefit in travel time savings. The percentages shown represent the transit travel time savings that are estimated to result from implementation of the RTP/SCS, compared to the baseline or “no project” alternative. Results are shown for local bus and for all transit. The percentage improvement for all groups in total is provided as a point of comparison.

With respect to local bus travel, the RTP/SCS provides an 8.3 percent improvement in travel time benefits overall. Hispanics, Non-Hispanic Asians, Non-Hispanic Native Americans, and Non-Hispanic Blacks are estimated to also experience local bus travel time savings of 8.3 percent or higher. Non-Hispanic Others are estimated to have a 7.3 percent improvement.

With respect to all transit travel, the RTP/SCS provides an 11.8 percent improvement in travel time benefits overall. This rises to 13.1 percent for Non-Hispanic Asians and 12 percent for Hispanics, Non-Hispanic Native Americans, and Non-Hispanic Others. Non-Hispanic Blacks are estimated to experience a 10.3 percent improvement in all transit hours of travel.

Figure 5. Travel Time Improvement by Race/Ethnicity



Accessibility Benefits (Access to Employment Opportunities)

Accessibility is a foundation for social and economic interactions, and is measured by SCAG in terms of the spatial distribution of potential destinations, the ease of reaching each destination, and the magnitude, quality and character of the activities at the destination sites. Travel costs, in terms of time and money, and destination choice are crucial. The lower the costs of travel, and the greater and more varied the destinations, the higher the level of accessibility. SCAG estimated accessibility to employment opportunities by calculating a regional average of the percentage of jobs that can be accessed within 45 minutes by auto and transit. This was calculated using origin-to-destination travel time matrices produced by the regional travel demand model to identify, for each TAZ, the universe of TAZs accessible within 45 minutes by auto and transit modes. The total employment in these accessible TAZs was then calculated to determine the percentage share of total regional employment for each TAZ. Each TAZ's racial/ethnic breakdown was also tabulated, allowing for an overall regional average accessibility by race/ethnicity to be calculated.

Figure 6 depicts the 2008 average share of the region's jobs that are accessible within 45 minutes by transit, by race/ethnicity. Results are shown for local bus and for all transit. For local bus, Hispanics, Non-Hispanic Blacks, and Non-Hispanic Asians experience accessibility ranging from 4.5 to 5.3 percent. Non-Hispanic Native Americans (2.8 percent) and Non-Hispanic Others (3.5 percent) experience a lower-than average accessibility for local bus and all transit. This may be primarily a

function of residential location relative to the opportunities in surrounding areas. SCAG has identified that further research is needed to better understand the residential choices and built environment for these groups.

Figure 6. Access to Employment Opportunities (2008)

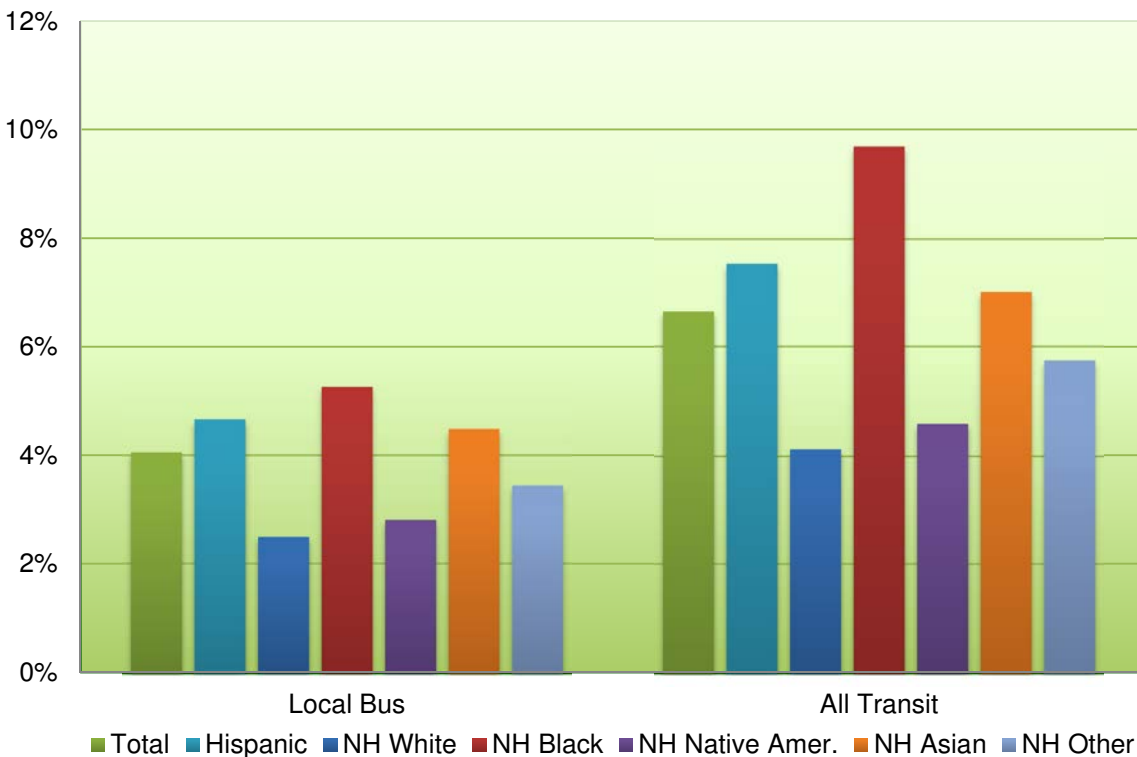
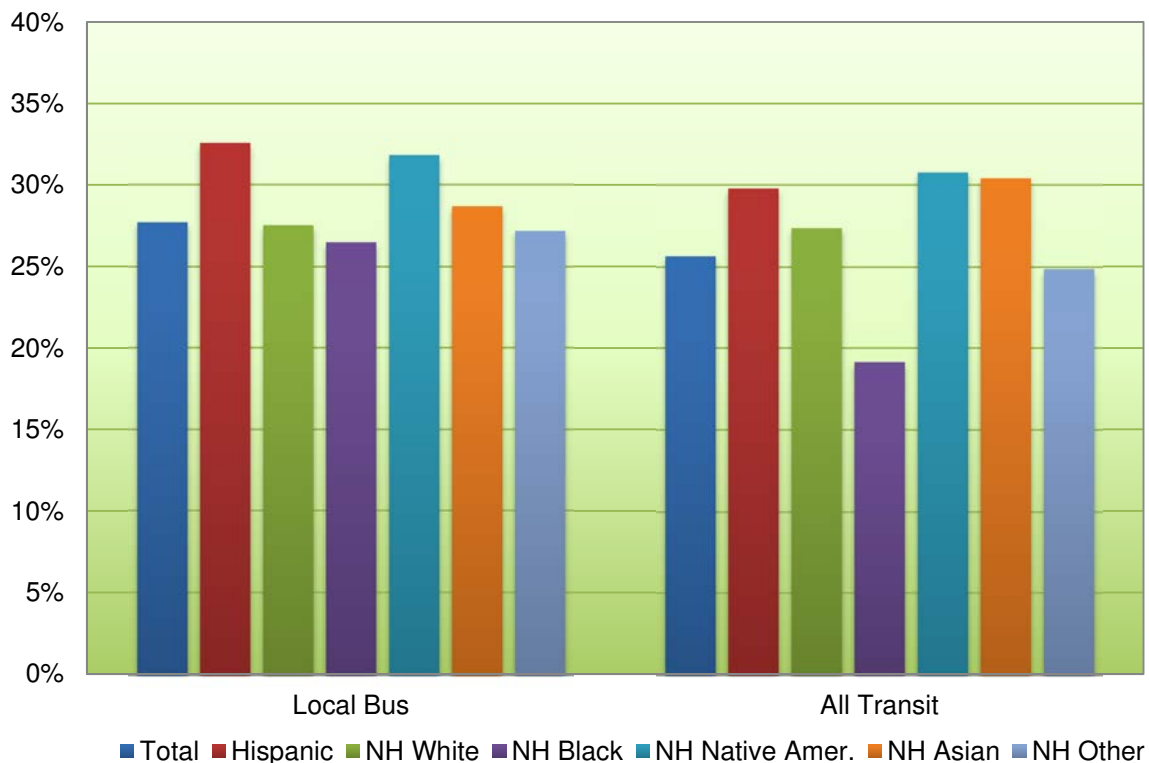


Figure 7 depicts the estimated improvement in accessibility to employment opportunities for each race/ethnicity. All groups are shown to receive a net benefit in accessibility. The percentages shown represent the accessibility improvements that are estimated to result from implementation of the RTP/SCS, compared to the baseline or “no project” alternative. Results are shown for local bus and for all transit. The percentage improvement for all groups in total is provided as a point of comparison.

For local bus, the average regional improvement in accessibility is 27.7 percent overall. Hispanics and Non-Hispanic Native Americans are estimated to experience a 32 percent improvement, while Non-Hispanic Asians see a 28.7 percent improvement and Non-Hispanic Blacks have a 26.5 percent improvement. The pattern is similar when looking at all transit, except for Non-Hispanic Blacks. For all transit, Non-Hispanic Blacks are estimated to experience a 19.1 percent improvement in accessibility, below the 25.7 percent average for the region as a whole. This may be because Non-Hispanic Blacks have the highest accessibility of all groups, at 9.7 percent compared to 6.7 percent for the region as a whole (as shown in Figure 6), therefore their rate of improvement may not be as high as for other groups.

Figure 7. Accessibility Improvement by Race/Ethnicity



Additional Measures

Gentrification and Displacement

Although transit-oriented development itself is not a direct impact of the distribution of State and Federal funds for public transportation purposes, particularly because it results from land use decisions made by local jurisdictions and is driven by market forces, SCAG's 2012-2035 RTP/SCS analysis of gentrification and displacement was an initial attempt to assess potential impacts on environmental justice groups. A major land use strategy in the RTP/SCS is to follow emerging demographic trends and to collaborate with local jurisdictions to redirect future growth to high quality transit areas (HQTAs), defined as areas within one-half mile of a rail station, or a corridor with fixed-route bus service with headways of 15 minutes or less during peak commute hours.

While the regional population is increasingly using transit and showing interest in living in transit-rich neighborhoods, this trend may be tempered by concerns for the potential for gentrification and displacement for this type of growth. That is, will current neighborhood residents that are low income or minority benefit from transit-oriented neighborhood revitalization, or will they be displaced by more affluent and non-minority residents because new development is less affordable? SCAG identified and evaluated key indicators related to changes in neighborhood characteristics from the 2000 Census and the 2005-09 American Community Survey (ACS) to test for indications of

potential or actual displacement or gentrification. The analysis also relied on NHTS data for population characteristics, including income, ethnicity, and travel behavior.

First examining patterns of neighborhood change and whether HQTAs are moving toward more transit-oriented, sustainable, and livable communities, SCAG identified the following trends:

- Growth rates of population and households in HQTAs was much lower than for non-HQTAs;
- Within HQTAs, growth around rail stations was more than twice as fast as in the rest of the HQTAs;
- Median household income around rail stations is less than other areas, but more importantly remained unchanged between 2000 and 2005-09 while all other places experienced income declines of between 3 percent to 4.5 percent;
- The share of Hispanic population is about 13 percentage points higher around rail stations than in the region as a whole;
- The share of zero-vehicle households around rail stations declined significantly between 2000 and 2005-09, and as a result, the average number of vehicles per household increased by 13 percent around rail stations and by just 8 percent for the region as a whole; and
- Compared to the region as a whole, both Hispanic and Non-Hispanic residents near rail stations showed similar patterns—fewer total trips, less auto use, and fewer vehicle-miles traveled.

Next, SCAG selected seven indicators to assess early signs of displacement or gentrification through growth in the HQTAs: minority population percentage, poverty rate, share of age 65+ population, percent of households without car, percent non-English speaking population, population without a high school diploma, and percent of renters. Table 2 depicts the percentage point change in these indicators between the 2000 Census and the 2005-09 ACS, for those living within and without HQTAs. Additionally, the indicators are shown for those living within ½ mile of rail stations, a subset within the HQTAs.

Table 2. Change in Gentrification and Displacement Related Indicators, 2000 to 2005-09

	Region	Non-HQTA	HQTA	HQTA – Rail Stations
Minorities	3.5%	5.7%	0.9%	0.4%
Poverty	-1.0%	-0.2%	-1.9%	-2.2%
Seniors (65+)	0.4%	0.4%	0.5%	0.4%
Households Without a Car	-2.7%	-1.8%	-3.8%	-6.7%
Non-English Speaker	0.3%	0.3%	0.4%	-0.5%
Below High School Education	-4.7%	-3.2%	-6.8%	-9.0%
Renter	-1.8%	-1.2%	-1.5%	-1.8%

Sources: 2000 Census and 2005-09 American Community Survey

Table 2 shows that poverty rates declined more in the HQTAs than in the rest of the region. Additionally, households without cars declined significantly more in HQTAs and near rail stations

than in the rest of the region. There were also declines in the share of non-English speaking households and people without high school diplomas. These results may be due to low income people moving out of these areas or higher income people moving in. At the same time, changes in the senior (65 years or older) population and in renters were no different between HQTAs and the rest of the region.

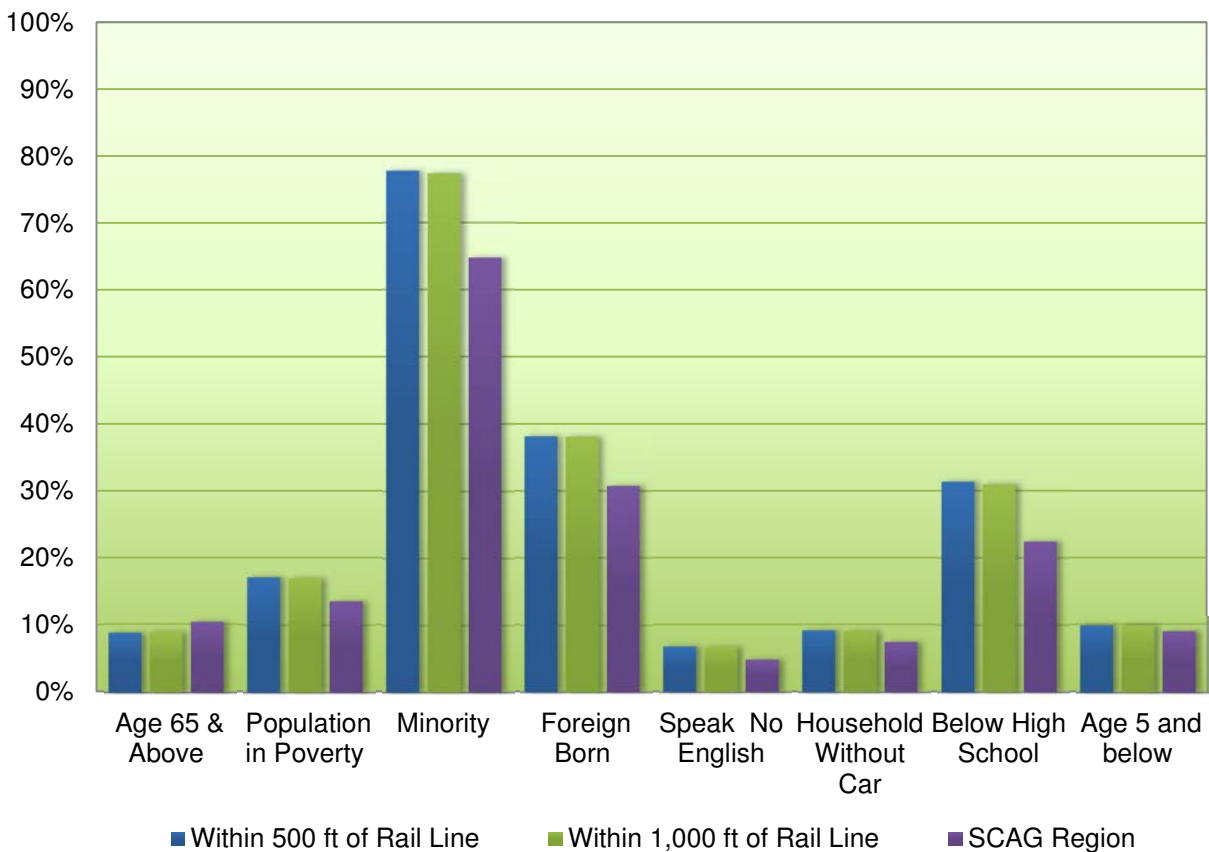
While the trends observed in these key indicators for 2000 and 2005-09 may be inconclusive, SCAG acknowledges that continued future research is necessary to monitor and analyze population trends related to gentrification and displacement. As such, the development of new indicators and data are needed at increasingly refined geographic levels. The RTP/SCS Environmental Justice Technical Appendix also presents a toolkit of policy options for shaping equitable neighborhood change in HQTAs. These tools are increasingly available and in use across the country and therefore, should inform future analysis.

Rail-Related Impacts

SCAG's RTP/SCS environmental justice analysis also included a summary analysis to address potential impacts in areas adjacent to railroads and rail facilities, based in part on input from our federal partners. Freight rail emissions are 5 percent and 4 percent of regional goods movement related NO_x and PM emissions, respectively. When compared to all regional NO_x and PM sources, the contribution of freight rail emissions is even lower. Passenger rail emissions constitute an even smaller sub-sample. However, environmental pollution from locomotives, rail yards, and other rail facilities must be considered, as concentrations of rail activities can cause localized rail pollution.

SCAG's analysis identified communities adjacent to railroads and rail facilities, rail impacts to sensitive receptors, and a summary examination of potential environmental justice concerns that are alleviated by grade separation projects. Figure 8 depicts the percentage of key environmental justice groups that live within 500 feet and 1,000 feet of a rail line, using ACS data for 2005-09. Their share of total regional population is provided as a point of comparison. As shown in Figure 8, the share of most environmental justice communities residing in close proximity to railroads is higher than the regional average. These observations suggest that rail-related environmental burdens, such as air pollution and noise from locomotives, rail yards, and other rail facilities, are higher for low-income and minority communities than the regional average. SCAG recommends further analysis with our partner agencies to verify this information. Additional data and analysis is also needed to understand the future environmental justice impacts of rail related freight traffic in the region.

Figure 8. Key Environmental Justice Population Groups in Areas Adjacent to Railroads



f) Description of the procedures MPO uses to ensure non-discriminatory pass-through of FTA financial assistance

SCAG passes federal funds to subrecipients without regard to race, color or national origin and the MPO assures that minority populations are not being denied the benefits of or excluded from participation in these programs.

SCAG does not currently administer any FTA discretionary grant programs. County Transportation Commissions (CTCs) in the SCAG region administer competitive selection processes for FTA programs for which SCAG is the designated recipient. The CTCs are all direct recipients of FTA program funds and as such are required to adopt Title VI programs and comply with the related requirements.

SCAG shall prepare and maintain, but not report unless requested by FTA, the following information, as applicable:

- A record of funding requests received from private non-profit organizations, State or local governmental authorities, and Indian tribes. The record shall identify those applicants that would use grant program funds to provide assistance to predominantly minority populations. The record shall also indicate which applications were rejected and accepted for funding.
- A description of how SCAG develops its competitive selection process and annual program of projects submitted to FTA as part of its grant applications. This description shall emphasize the method used to ensure the equitable distribution of funds to subrecipients that serve predominantly minority populations, including Native American tribes, where present. Equitable distribution can be achieved by engaging in outreach to diverse stakeholders regarding the availability of funds, and ensuring the competitive process is not itself a barrier to selection of minority applicants.
- A description of SCAG's criteria for selecting entities to participate in a FTA grant program.

g) Description of the procedures the agency uses to provide assistance to potential subrecipients in a non-discriminatory manner

To provide assistance to potential subrecipients on how to provide programs and services in a non-discriminatory, SCAG uses the following procedures:

- Provide each applicant with SCAG's notice to the public informing people of their rights under Title VI
- Provide each applicant with SCAG's procedures on how to file a Title VI complaint
- Provide technical assistance and education to applicants with regards to any Title question
- Reply to questions during the application process in a manner that not give an applicant an advantage over other applicants
- Provide relevant Title VI demographic information or data to applicants as requested

Appendix A

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS TITLE VI NON-DISCRIMINATION POLICY STATEMENT

September 9, 2011

Title VI of the Civil Rights Act of 1964 states:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Southern California Association of Governments is committed to complying with the requirements of Title VI in all of its programs and activities.

A handwritten signature in black ink, appearing to read 'Hasan Ikhrata', with a stylized, flowing script.

Hasan Ikhrata
Executive Director

Appendix B

NOTIFYING THE PUBLIC OF RIGHTS UNDER TITLE VI

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

As a direct recipient of Federal funds, the Southern California Association of Governments (SCAG) is committed to complying with the requirements of Title VI in all of its programs and activities. SCAG operates its program and services without regard to race, color or national origin in accordance with Title VI. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with SCAG.

For more information on SCAG's Title VI Program, and the procedures to file a complaint, please visit our website at: <http://www.scag.ca.gov/participate/Pages/CivilRights.aspx>; contact (213) 236-1895; or visit our office at 818 West 7th Street, 12th Floor, Los Angeles, CA 90017.

A complainant may also file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington DC 20590.

If information is needed in another language, contact (213) 236-1895.

Si se necesita informacion en otro idioma, llame (213) 236-1895.

如果你需要用另一種語言獲取此信息，請聯繫 (213) 236-1895.

혹시 다른 언어로 된 정보가 필요하시면 (213) 236-1895 에게 연락하시기 바랍니다.

Nếu quý vị cần được cung cấp tin tức, tài liệu bằng các ngôn ngữ khác, xin liên lạc với (213) 236-1895.

Attachment C

Southern California Association of Governments Title VI Complaint Procedures

As a recipient of federal funds from the Federal Highway Administration and the Federal Transit Administration, the Southern California Association of Governments (SCAG) is committed to ensuring that no person is excluded from participation in, denied the benefits of, or discriminated against under its projects, programs or activities on the basis of race, color or national origin, as provided in Title VI of the Civil Rights Act and Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time.

SCAG is committed to:

- Ensuring that the level and quality of regional planning is provided without regard to race, color, or national origin;
- Identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Integrating into its activities an analytical process that identifies the benefits and burdens of its investments on different socioeconomic groups, identifying imbalances and responding to the analyses produced;
- Promoting the full and fair participation of individuals in low income and minority communities in regional planning and programming decision making;
- Addressing as appropriate the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and
- Ensuring meaningful access to programs and activities by persons with limited English proficiency.

SCAG's Executive Director and staff are responsible for carrying out SCAG's commitment to Title VI. Specifically, SCAG's Chief Counsel shall serve as SCAG's Title VI Compliance Officer and is responsible for overseeing SCAG's Title VI-related activities, including the receipt and investigation of any Title VI complaints.

The process for addressing a Title VI complaint is as follows:

1. **Submission of Complaint:** Any person who feels that he or she, individually, or as a member of any class of persons, on the basis of race, color or national origin, or has been subjected to discrimination prohibited under Title VI may file a written complaint with SCAG using the appropriate complaint form, a copy of which is attached as Exhibit 1 to these procedures. A complaint may also be filed by a

representative on behalf of such a person. All complaints must be referred to SCAG's Chief Counsel, serving as the agency's Title VI Compliance Officer, for review and action.

- (a) Such complaint must be filed within sixty (60) calendar days after the date of the alleged act of discrimination.
 - (b) Complaints shall be in writing and shall be signed by the Complainant and/or the Complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination. At a minimum, the complaint shall include the following information:
 - (1) Name, mailing address, and how to contact the complainant (i.e. telephone number, email address, etc.).
 - (2) Basis of complaint (i.e., race, color, or national origin).
 - (3) Date of alleged discriminatory act(s).
 - (4) How, when, where and why Complainant alleges he or she was discriminated against. Include the location, names and contact information of any witnesses.
 - (5) Other significant information.
2. **Review of Complaint:** Within ten (10) calendar days of receipt of the complaint, SCAG's Chief Counsel shall inform the Complainant in writing of the proposed action to process the complaint and advise the Complainant of other avenues of redress, such as submitting complaint with Federal Transit Administration. The Chief Counsel shall also inform SCAG's Executive Director of receipt of the complaint. Thereafter, the Chief Counsel shall investigate the Complaint, or authorize the conduct of an investigation of the Complaint. Review of the complaint shall be completed no later than sixty (60) calendar days after the date SCAG received the complaint. If more time is required, the Chief Counsel shall notify the Complainant of the estimated time-frame for completing the review. Upon completion of the review of the complaint, the Chief Counsel shall issue SCAG's written response to the Complainant, addressing the merits of the complaint and if applicable, recommending any improvements to SCAG's processes relative to Title VI, as appropriate.
3. **Request for Reconsideration:** If the Complainant disagrees with the written response by SCAG's Chief Counsel, he or she may request reconsideration by submitting a written request for reconsideration to SCAG's Executive Director within fourteen (14) calendar days of the date of the written response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Chief Counsel. The Executive Director will notify the Complainant of his or her decision either to accept or reject the request for reconsideration within ten (10) calendar days. In cases where the Executive Director agrees to reconsider,

the matter shall be re-evaluated by the Executive Director or his or her designee, and a written determination shall be made within thirty (30) days of the Executive Director's acceptance of the request for reconsideration.

4. **Submission of Complaint to the Federal Transit Administration:** If the Complainant is dissatisfied with SCAG's resolution of the Title VI complaint, he or she may also submit a complaint to the Federal Transit Administration for investigation. In accordance with Chapter IX, Complaints, of FTA Circular 4702.1B, such a complaint must be submitted within 180 calendar days after the date of the alleged discrimination. Chapter IX of the FTA Circular 4702.1B, which outlines the complaint process to the Federal Transit Administration, may be obtained by requesting a copy from SCAG's Chief Counsel at (213) 236-1928.

If information is needed in another language, contact (213) 236-1895.

Si se necesita informacion en otro idioma, llame (213) 236-1895.

如果你需要用另一種語言獲取此信息，請聯繫 (213) 236-1895.

혹시 다른 언어로 된 정보가 필요하시면 (213) 236-1895 에게 연락하시기 바랍니다.

Nếu quý vị cần được cung cấp tin tức, tài liệu bằng các ngôn ngữ khác, xin liên lạc với (213) 236-1895.

Exhibit 1 – SCAG Title VI Compliant Form

Name _____

Address _____

City _____ State _____ Zip Code _____

Home Telephone Number _____

Work Telephone Number _____

Email Address _____

1. Were you discriminated against because of:

☐ Race ☐ National Origin ☐ Color

☐ Other _____

2. Date of Alleged Incident:

3. Please explain as clearly as possible what happened and how you were discriminated against. Indicate the location and who was involved. Be sure to include the names and contact information of any witnesses. If more space is needed, please attach additional pages or use the back of this form.

4. Have you filed this complaint with any other federal, state or local agency, or with any federal or state court? ☐ Yes ☐ No

If yes, please check all that apply:

____ Federal Agency ____ Federal Court ____ State Agency
____ State Court ____ Local Agency

Please provide information about a contact person of the agency or court where the complaint was filed:

Name _____
Address _____
City, State and Zip Code _____
Telephone Number _____

5. Will you be representing yourself in this complaint? ☐ Yes ☐ No

If no, please provide information about the person who will be serving as your representative in this complaint:

Name _____
Address _____
City, State and Zip Code _____
Telephone Number _____

Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Signature _____ Date _____

Please mail or submit this form to:

Joann Africa, Chief Counsel/Title VI Compliance Officer
Southern California Association of Governments
818 West 7th Street, 12th Floor
Los Angeles, CA 90012-3435

Appendix D

SCAG's Public Participation Plan

(To be attached)

Appendix E

SCAG's Language Assistance Plan for Limited English Proficient (LEP) Populations

SCAG is the largest Metropolitan Planning Organization in the nation, representing six counties – Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura – and 191 cities. The SCAG region covers 38,000 square miles and includes a population of 18.4 million people, roughly 48% of the total state population.

As a recipient of federal funds, SCAG follows the Circular's guidance concerning recipients' responsibilities to limited English proficient (LEP) persons. Individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English are recognized as limited English proficient, or "LEP." SCAG's Language Assistance Plan for Limited English Proficient Populations is intended to guide the agency in the provision of meaningful access to its services, programs and activities by LEP persons. The plan considers the languages that are spoken in the region, which documents will be translated by the agency, special outreach methods, accommodations for oral language assistance, staff training and how SCAG will evaluate and improve its services to LEP persons.

In developing transportation plans, SCAG has employed numerous strategies to engage and seek input from traditionally underserved populations. This plan complements in many ways the goals and strategies outlined in SCAG's Public Participation Plan to engage the public in regional planning efforts. A full copy of the Public Participation Plan is included herein as **Appendix D** and can be found on SCAG's website at: <http://www.scag.ca.gov/participate/Pages/PublicParticipationPlan.aspx>

Four Factor Analysis of Language Assistance Measures

SCAG is required to ensure meaningful access to the benefits, services, and information regarding our programs and activities to individuals who are limited English proficient. SCAG has consulted the USDOT's LEP Guidance and performed a four factor analysis of LEP populations in the region and the agency's level of interaction to determine the appropriate mix of services to offer. The four factors consider the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the SCAG's programs.
2. The frequency with which LEP persons come into contact with SCAG's programs, activities or services.
3. The nature and importance of the program, activity, or service provided by SCAG to people's lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

LEP Populations in the Region

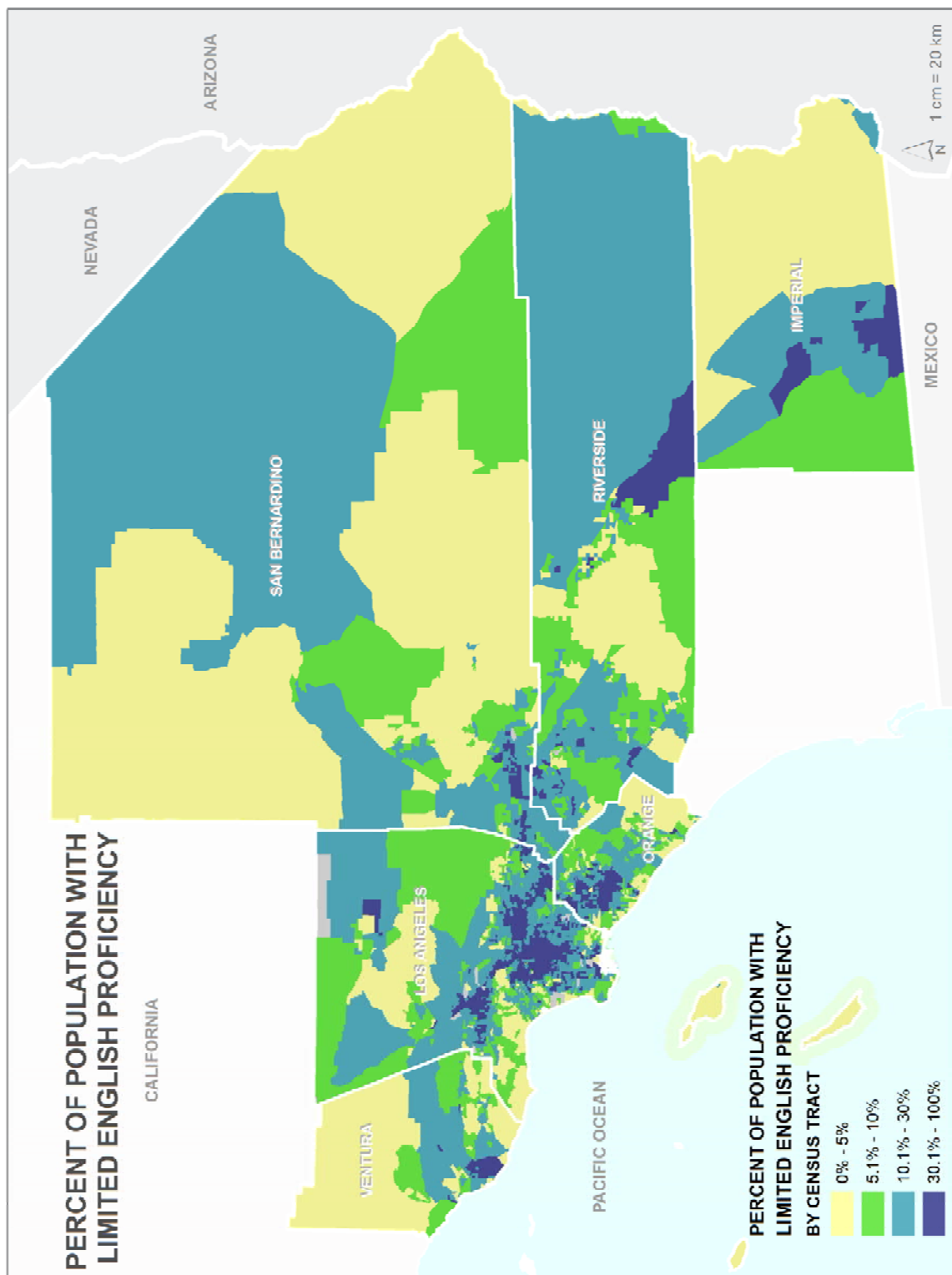
To identify LEP populations in the region, SCAG looked to the U.S. Census Bureau's American Community Survey (ACS) 2008-2012 Data Set using the criteria, "Language Spoken at Home, by Ability to Speak English, for Populations 5 Years and Older." In reviewing the ACS data, SCAG has made the determination that any individual who indicated they do not speak English "very well" would be classified as LEP. Out of a total population of 16,855,305 persons (ages 5 years and older) in the SCAG region, approximately 23%, or 3,871,149 persons, were identified as LEP. Spanish-speakers constituted the largest LEP group – 2,761,786 persons, or 16.4% of individuals in the SCAG region indicated that they did not speak English very well. Other large LEP populations in the region include Chinese, Korean and Vietnamese speakers. The following table provides additional information, including LEP populations that meet the DOJ's safe harbor threshold of 1,000 persons of the total LEP population eligible to be served.

To corroborate this data, SCAG looked to information from the 2000 Census, as the 2010 Census did not provide language statistics. Overall, LEP populations were higher in the 2000 Census figures, with 3,752,830 persons, or 24.6% of the total population ages 5 years and older who indicated they did not speak English very well. However, the dominant languages spoken by LEP populations were, by and large, similar to what we found in the 2008-2012 ACS data. Approximately 2,767,426 Spanish speakers spoke English either "well", "not well", or "not at all." In addition, 706,603 speakers of Asian-Pacific Islander languages, 234,751 speakers of other Indo-European languages, and 44,050 speakers of other languages indicated that they did not speak English very well.

LEP Populations in the SCAG Region

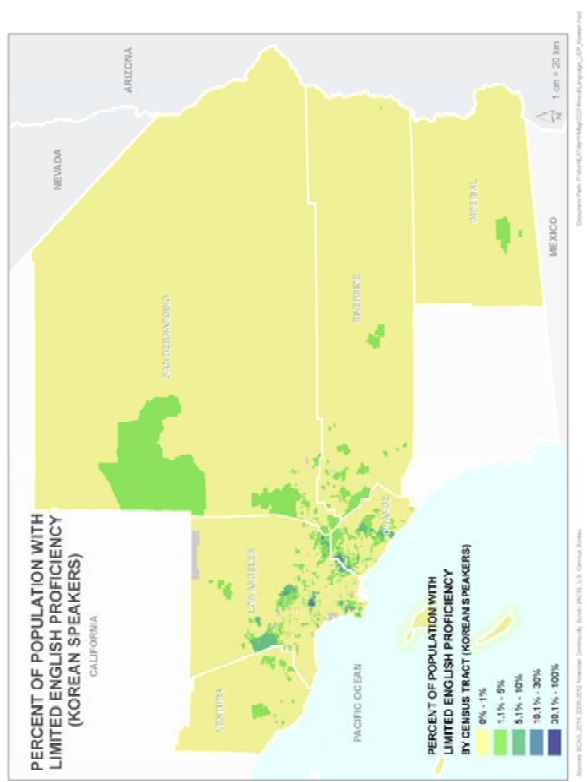
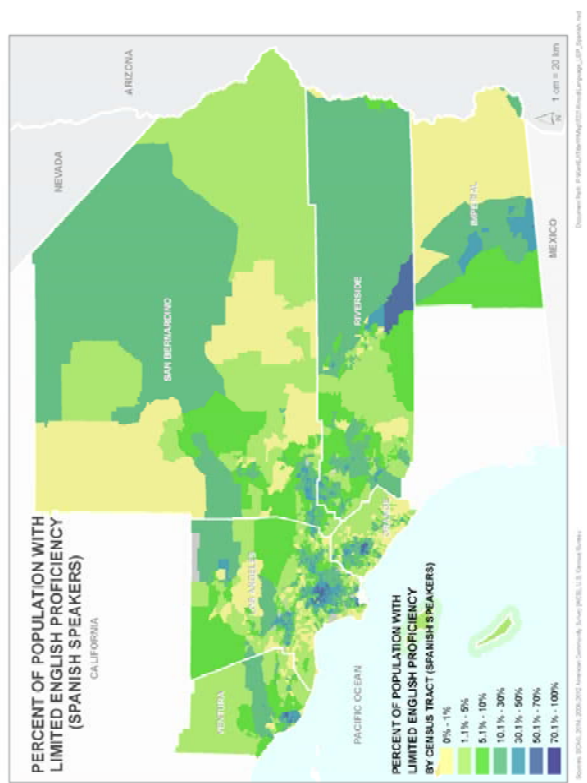
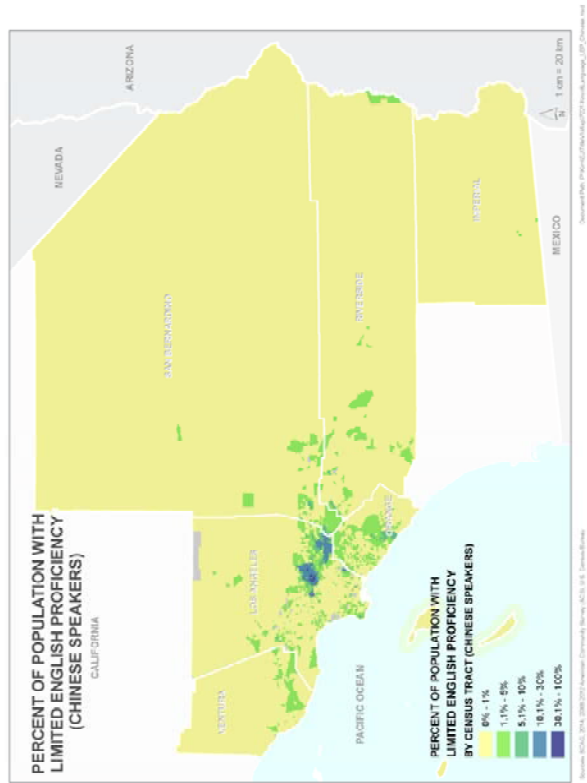
Language	Total LEP Persons	% of SCAG Region LEP Population	% of Total SCAG Population
Spanish	2,761,786	71%	16.4%
Chinese	255,943	6.6%	1.5%
Korean	173,271	4.5%	1.0%
Vietnamese	160,868	4.2%	1.0%
Tagalog	106,500	2.8%	0.6%
Armenian	85,720	2.2%	0.5%
Persian	45,097	1.16%	0.27%
Japanese	37,067	0.96%	0.22%
Russian	30,593	0.79%	0.18%
Arabic	28,579	0.74%	0.17%
Cambodian	22,281	0.58%	0.13%
Other Pacific Islander	18,599	0.48%	0.11%
Thai	18,481	0.48%	0.11%
Other Indic	18,329	0.47%	0.11%
Other Asian	12,220	0.32%	0.07%
French	10,760	0.28%	0.06%
Hindi	9,324	0.24%	0.06%
African	7,789	0.20%	0.05%
Other Indo-European	7,673	0.20%	0.05%
Gujarati	7,181	0.19%	0.04%
German	6,106	0.16%	0.04%
Italian	5,785	0.15%	0.03%
Urdu	5,530	0.14%	0.03%
Hebrew	5,495	0.14%	0.03%
Portuguese	4,929	0.13%	0.03%
Laotian	3,798	0.10%	0.02%
Polish	3,139	0.08%	0.02%
Other Slavic	2,860	0.07%	0.02%
Other Not Defined	2,844	0.07%	0.02%
Hungarian	2,483	0.06%	0.01%
Greek	2,327	0.06%	0.01%
Serbo-Croatian	2,123	0.05%	0.01%
Other West Germanic	1,981	0.05%	0.01%
Hmong	1,692	0.04%	0.01%
Scandinavian	1,071	0.03%	0.01%

- Source: U.S. Census American Community Survey, 2008 - 2012



Sources: SCAG, 2014; 2008-2012 American Community Survey (ACS), U.S. Census Bureau

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Frequency of Interaction

In the past, SCAG's LEP Program focused on four major activities, which included:

- Providing interpreters available at meetings and workshops, with 72-hour advance notice
- Translating selected documents into Spanish, Chinese and Korean and making these documents available for download on the agency's website
- Utilization of a specialty outreach consultant to engage with the LEP and minority communities for the 2012 RTP cycle
- Disseminating notices of availability and press releases to print, radio and broadcast media serving minority communities

To better assess its LEP program, the agency surveyed staff's frequency of interaction with LEP communities from the past two years. In 2012, SCAG received two calls from Spanish speakers; provided Spanish interpretation services at a meeting once; and a presentation was given in Spanish once. In 2013, SCAG received six calls from Spanish speakers; Spanish interpreter services were provided at two separate public meetings; and staff conducted a presentation in Spanish once.

SCAG has largely relied on its bilingual staff to assist in our LEP efforts. The aforementioned phone calls by non-English speakers were requests for information, and bilingual staff from SCAG were able to address the caller's needs. In the few cases where interpreters were needed at public meetings, SCAG's bilingual staff were able to accommodate the non-English speaker(s). SCAG also receives visiting delegations from China and Korea, and bilingual staff members have provided approximately 12-15 in-language presentations a year, for the past two years.

In conducting outreach for its Draft 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy, SCAG translated several key documents and made these available on the agency website. These documents, including translated notices of availability and the executive summary of the 2012-2035 RTP/SCS, were accessed more frequently than interpretation services. The following tables illustrate the number of times the documents were accessed.

Download Frequency for the Translated Notice of Availability and Public Hearings for the Draft 2012-2035 RTP/SCS and Draft 2011 Federal Transportation Improvement Program Amendment #11-24

Language	Downloads
Spanish	86
Chinese	63
Korean	62
Armenian	60
Vietnamese	53

Download Frequency for Translated 2012-2035 RTP/SCS Executive Summaries

Language	Downloads
Korean	183
Chinese	126
Spanish	119

In addition to these documents, SCAG also translated into Spanish the 2012-2035 RTP/SCS Funding Strategies fact sheet. Our records show it was downloaded a total of 114 times.

The Importance of SCAG's Programs to LEP Populations

As the Metropolitan Planning Organization for the region, SCAG represents six counties, including 191 cities and more than 18 million residents. The agency develops long-range regional transportation plans as well as sustainable communities strategies, growth forecast components, regional transportation improvement programs, regional housing needs allocations, and a portion of the South Coast Air Quality management plans. SCAG does not implement projects, so the agency works with its partners at the County Transportation Commissions and local jurisdictions to develop the plans in a "bottom-up" process. The agency follows this process to provide local and county jurisdictions a greater voice in determining their priorities.

SCAG's planning activities have the potential to impact every person in the region – from the number of mobility choices they have to air quality impacts. In addition to developing its plans via a "bottom-up" approach, SCAG consults all interested parties and provides reasonable opportunities for interested parties to comment or provide input. SCAG's Public Participation Plan outlines some of the strategies used to engage LEP populations, in particular those living in rural and environmental justice communities. A copy of the plan is available online at: <http://scag.ca.gov/participate/Pages/PublicParticipationPlan.aspx>

Resources for LEP Outreach

As listed in the Language Assistance Plan portion of this document, SCAG translates vital documents, makes available interpreters or translation services at public meetings upon request and conducts outreach to ethnic media. Outside of its main headquarters in downtown Los Angeles, SCAG maintains regional offices in the other five counties, including: Imperial, Orange, Riverside, San Bernardino and Ventura. These offices are each staffed by a liaison that provides outreach to member cities and other agencies. They play an important role in SCAG's overall public outreach efforts by working with local agencies to identify stakeholder groups that may be interested in participating in regional planning. These liaisons also provide presentations to groups on the agency's largest planning program, the Regional Transportation Plan/Sustainable Communities Strategy, which is updated every four years.

In addition to SCAG staff resources, approximately \$40,000 per year is allocated for additional language services provided by outside consultants. This amount includes funds for consultant-led outreach to constituent groups and additional ethnic press outreach.

Conclusion

Given the size and diversity of the SCAG region, SCAG's frequency and type of interaction with LEP persons, and the resources available, SCAG has determined that the agency will prioritize access to information and translation of vital documents in the four most frequently spoken languages in the region other than English – Spanish, Chinese, Korean and Vietnamese. Provided that it has the resources to do so, SCAG will also, upon request, translate documents and provide interpretation services in other languages.

SCAG's Language Assistance Plan for LEP Populations

Based on the results of the four factor analysis, SCAG has prepared an updated Language Assistance Plan, utilizing a broad range of tools to engage LEP populations and provide staff procedures for providing assistance.

Translation of Vital and Non-Vital Documents

To achieve compliance with U.S. DOT guidelines, SCAG has taken into consideration the Safe Harbor Provision of the FTA Title VI Circular (4702.1B) in developing its policy on translating documents:

“DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.”

SCAG's four-factor analysis reveals more than 30 languages that are spoken by more than 1,000 LEP persons in the SCAG six-county region. Spanish-speaking LEP persons are the largest group, representing 71.34% of the total LEP population, followed by Chinese (6.61%), Korean (4.48%), Vietnamese (4.16%), Tagalog (2.75%) and Armenian (2.21%). There is no other language that exceeds two percent of the LEP population share.

Upon review of the four-factor analysis, SCAG has determined that the agency will translate documents considered “vital” into the four most frequently spoken languages other than English – Spanish, Chinese, Korean and Vietnamese. Vital documents include:

- Notices of availability
- Display ads in ethnic newspapers
- Public hearing/meeting notices with information on free language assistance services
- Title VI complaint form

- Notice of a person's rights under Title VI

The agency will determine, on a case-by-case basis, the effectiveness and appropriateness to translate other non-vital documents – such as long-range plans (in their entirety), executive summaries of plans or fact sheets into Spanish, Chinese, Korean or Vietnamese.

With regard to translating vital and non-vital documents into other languages, SCAG is committed to providing reasonable access to all individuals and complying with the DOT's Safe Harbor Provision. Subject to available resources, SCAG will provide translations of the agency's vital – and non-vital documents on a case-by-case basis – by request. Requests can be made by emailing contactus@scag.ca.gov or through our online public participation form: <http://scag.ca.gov/participate/Pages/PublicComment.aspx>

Interpreting and Oral Language Assistance

SCAG will provide interpreting assistance at its public meetings and workshops with, at minimum, a 72-hour advance notice. Requests can be made by emailing contactus@scag.ca.gov or through our online public participation form: <http://scag.ca.gov/participate/Pages/PublicComment.aspx>

SCAG relies on its bilingual staff to meet most of its interpreting and translation needs. These staff members are fluent in English and Spanish, Chinese or Korean, and are well versed in planning terminology and concepts. SCAG will maintain a list of certified and/or qualified interpreters and will utilize them on an as-needed basis. Interpreters will need to assess the reading level of the audience and speak to the target language group's vocabulary, phrases and/or dialects. Interpreters and translation services must also demonstrate proficiency in both English and the other language, as well as accurately communicate specialized terms or concepts in regional planning.

Outreach and Media Engagement

When engaging the public on its long-range plans and programs, SCAG has utilized traditional media outlets (print, radio and television) as a primary outreach tool. This applies to LEP populations as well. SCAG sends press releases and public meeting announcements to local ethnic media, and purchases display ads for public hearing notices in Chinese, Korean, Spanish and Vietnamese language newspapers serving the region.

As outlined in the Public Participation Plan, SCAG will outreach to local organizations to engage those who are traditionally uninvolved or underinvolved in the planning process, including rural and economically disadvantaged LEP populations. SCAG will provide in-language group presentations upon request towards this effort. Group in-language presentations may be requested by emailing contactus@scag.ca.gov or through our online public participation form: <http://scag.ca.gov/participate/Pages/PublicComment.aspx>

Staff Training

All front-line SCAG staff are provided with the LEP Plan and educated on procedures and services available. To assist in identifying LEP individuals who need language assistance, SCAG will utilize the U.S. Census Bureau's "*I Speak*" language identification list. The list translates "Mark this box if you read or speak [language name]" into 38 different languages and will be an effective tool at SCAG's reception desk, public meeting rooms and regional offices.

As mentioned previously, SCAG relies on a core group of volunteer bilingual staff to assist in providing live interpreting, light document translation, and consultant translation review. Special steps are taken during regular and special board meetings. Bilingual staff will be on hand to assist with interpreting, in particular during the public comment portion of the meetings. For public hearings and workshops required by law, SCAG's bilingual staff will be briefed on the content of any presentation and have access to additional resources with which to reference. A list of bilingual staff language availability will be posted internally on SCAG's intranet and made available to all staff.

For bilingual staff who volunteer to serve as interpreters and translators, they are provided an annual training on the following topics:

- Understanding the Title VI LEP responsibilities
- What language assistance services SCAG offers
- Frequently used planning terms and their translated equivalents
- Use of LEP "I Speak Cards"
- How to access a staff interpreter
- Documentation of language assistance requests
- How to handle a complaint

SCAG's Human Resources Department is also assessing the feasibility of utilizing a bilingual fluency examination to ensure that the volunteer bilingual staff possesses the requisite skill and proficiency to provide effective bilingual communication.

Monitoring and Evaluating the Plan

Ensuring fair and equal access to information is a priority for SCAG. SCAG will institute a formal procedure to document the frequency with which LEP persons come into contact with agency staff, programs, or download translated documents available on the website, in addition to the nature of the interaction (i.e. an information request, request to translate new documents, etc.).

When performing public outreach or at public hearings, SCAG will distribute a survey for LEP participants to assess the effectiveness of the agency's language services and whether alternate services may need to be employed.

SCAG will assess and evaluate its Language Assistance Plan, at minimum, every four years prior to the development of the RTP/SCS. This will allow the agency to determine if there are sufficient resources

(such as staff, technology and funding) to meet potential needs in advance of planned public outreach activities for the plan.

Appendix F

SCAG Board Resolution adopting 2014 Title VI Program (To be attached)